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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/399,288	09/17/1999	JARI JUOPPERI	297-008889-U	2110

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EXAMINER

MOISE, EMMANUEL LIONEL

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 10/22/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/399,288

Applicant(s)
Juopperi et al.

Examiner
Emmanuel L. Moise

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2133



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jun 14, 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-15 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Sep 17, 1999 is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 and 5 6) ☐ Other:

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DETAILED ACTION

1. Claims 1-15 are presented for examination.

Drawings

2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The specification is objected to because the abstract should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," "The description covers," "The invention relates to" etc.
4. The specification is also objected to because it does not contain any section headings. The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

The following order or arrangement is preferred in framing the specification and, except for the reference to "Microfiche Appendix" and the drawings, each of the lettered items should appear in upper case, without underlining or bold type, as section headings. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) Title of the Invention.
- (b) Cross-References to Related Applications.

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- (c) Statement Regarding Federally Sponsored Research or Development.
- (d) Reference to a "Microfiche Appendix" (see 37 CFR 1.96).
- (e) Background of the Invention.
 - 1. Field of the Invention.
 - 2. Description of the Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) Brief Summary of the Invention.
- (g) Brief Description of the Several Views of the Drawing(s).
- (h) Detailed Description of the Invention.
- (I) Claim or Claims (commencing on a separate sheet).
- (j) Abstract of the Disclosure (commencing on a separate sheet).
- (k) Drawings.
- (l) Sequence Listing (see 37 CFR 1.821-1.825).

5. The specification is also objected to because referring to the claims in the specification is improper (see page 1, lines 4-7, and page 3, lines 16-20).

6. The specification is further objected to because the acronym "GSM" which stands for "Global System for Mobile Communication" has not been defined anywhere in the specification; it needs to be defined at least once, preferably right after or before its first usage..

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-6 and 8-15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Faucher (U.S. Patent No. 5,515,441).

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As per claim 1, Faucher teaches the claimed method to authenticate a mobile station network, characterized in that the mobile station is authenticated with user-to-user data exchange (see Figure 3, and column 4, lines 60-66).

As per claim 2, the data exchange in Faucher is also exchanged during call setup (see Figure 3).

As per claim 3, Faucher teaches that the data is exchanged during a call (see Figure 3).

As per claim 4, Faucher teaches that an encryption key is agreed between the two mobile stations (column 4, lines 65-67).

As per claim 5, Faucher teaches that the mobile stations execute a mutual authentication and key agreement protocol based on public-key cryptography (column 4, line 65 - column 5, line 8).

As per claim 6, Faucher, in Figure 3, also teaches that the second mobile station (9) is authenticated by the first mobile station (8) constructing and sending to the second mobile station a first message, ...the second mobile station constructing and sending a second message to the first mobile station, ... (see also Figure 5).

As per claim 8, Faucher teaches that the data is exchanged through user-to-user signalling (see Figure 3).

As per claim 9, Faucher teaches the claimed cellular communications system wherein a first mobile station constructs and sends a first message, receives and verifies the validity of a second message ... , and a second mobile station receives the first message and send the second

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message, receives and verifies the validity of the third message ... (see Figures 3 and 5). The claimed 'at least one mobile switching centre' is inherent in Faucher's cellular communications system.

As per claim 10, the claimed "[a] communications system ... comprises two mobile switching centres connected together with ISDN" can be implemented without departing from the spirit and scope of Faucher's invention.

As per claim 11, Faucher teaches the claimed mobile station comprising: a processor ...; a memory ...; output means ...; input means ...; and a transmitter/receiver ... (see Figure 3). The processor, memory, input and output means are inherent in Faucher's communication system.

As per claim 12, Faucher teaches that the output means comprises a display (see Figure 3, elements 104 or 204).

As per claims 13-15, the claimed "input means comprises a keyboard", "mobile station is designed to GSM or UMTS standards" can be implemented without departing from the spirit and scope of Faucher's invention.

Allowable Subject Matter

9. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5,970,144 (Chan et al.)

6,023,689 (Herlin et al.)

6,430,407 (Turtiainen)

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel L. Moise whose telephone number is (703)305-9763. The examiner can normally be reached on Monday - Friday from 08:30 a.m. - 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady, can be reached on (703)305-9595. Any response to this action should be mailed to: Commissioner of Patents and Trademarks Washington, D.C. 20231, or faxed to: (703) 308-9051, (for formal communications intended for entry), Or: (703) 305-3718 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

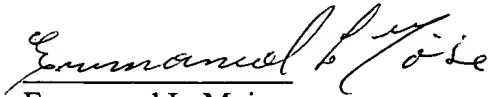
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist). The facsimile phone number for this group is (703) 308-5357.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

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A handwritten signature in cursive script, reading "Emmanuel L. Moise". The signature is written in black ink and is positioned above the printed name.

Emmanuel L. Moise
Primary Patent Examiner
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October 18, 2003